

(PRE-FILED)

By: **Chairman, Environmental Matters Committee (By Request -
Departmental - Agriculture)**

Requested: November 17, 2003
Introduced and read first time: January 14, 2004
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 10, 2004

CHAPTER _____

1 AN ACT concerning

2 **Maryland Horse Industry Board - Penalties**

3 FOR the purpose of authorizing the Maryland Horse Industry Board, rather than
4 pursuing criminal penalties, to impose a ~~certain~~ an administrative penalty on
5 any person who violates ~~the Board's regulatory requirements~~; certain laws
6 executed and enforced by the Board; requiring certain penalties to be paid into
7 the General Fund of the State; requiring the Board to adopt certain regulations;
8 and generally relating to the enforcement authority of the Maryland Horse
9 Industry Board.

10 BY repealing and reenacting, with amendments,
11 Article - Agriculture
12 Section 2-718
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2003 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Agriculture**

18 2-718.

19 (A) Any person who violates any provision of this subtitle is guilty of a
20 misdemeanor and on conviction is subject to a fine not exceeding \$250 or
21 imprisonment not exceeding 11 months or both.

1 (B) (1) INSTEAD OF PURSUING CRIMINAL PENALTIES UNDER SUBSECTION
2 (A) OF THIS SECTION, THE BOARD MAY IMPOSE AN ADMINISTRATIVE PENALTY ON
3 ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE.

4 (2) THE PENALTY IMPOSED UNDER THIS SUBSECTION MAY NOT
5 ~~EXCEED~~:

6 ~~(I) FOR A FIRST VIOLATION, \$500;~~

7 ~~(II) FOR A SECOND VIOLATION, \$1,000; AND~~

8 ~~(III) FOR A THIRD OR SUBSEQUENT VIOLATION, EXCEED \$2,000.~~

9 (3) ALL PENALTIES COLLECTED UNDER THIS SUBSECTION SHALL BE
10 PAID INTO THE GENERAL FUND OF THE STATE.

11 (4) THE BOARD SHALL ADOPT REGULATIONS NECESSARY TO
12 IMPLEMENT THE PROVISIONS OF THIS SUBSECTION.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2004.